

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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AMERICAN INSURANCE COMPANY  
a/s/o Mariah Carey, and SINCLAIR C.S.  
BEECHAM,

**NOTICE OF MOTION**

Plaintiff,  
-against-

CORN ASSOCIATES LLC, THE FRANKLIN TOWER  
CONDOMINIUM, KATZ METAL FABRICATORS, INC.,  
OLYMPIC PLUMBING AND HEATING III CORP.,  
and SAMCO PLUMBING, INC.,

Docket No.: 07 CIV 8604  
(WHP)(AJP)

Defendants.  
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PLEASE TAKE NOTICE that upon the affidavit in support by RICHARD S. KAYE, ESQ., sworn to the 3rd day of June, 2008, the exhibits attached to it, the affidavit of Isaac Kubersky and the exhibits attached to it, and the accompanying memorandum of law, defendant, KATZ METAL FABRICATORS, INC., will move before the United States District Court Judge William H. Pauley, III, at the courthouse located at 500 Pearl Street, Room 2210, New York, NY 10007, pursuant to the Scheduling Order, for an Order dismissing the action on the grounds that it was not commenced within the time prescribed for such actions and that it is time-barred, and for what other and further relief as to this Court may be just and proper.

Dated: New Rochelle, NY  
June 3, 2008

Yours, etc.

MURPHY & HIGGINS, LLP

By:

  
RICHARD S. KAYE (RSK8726)

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TO: CORN ASSOCIATES, LLC  
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TO: WHITE, FLEISCHNER & FINO  
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TO: SAMCO PLUMBING, INC.  
Defendant  
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